

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law, 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101

By: Susan Carboni
Deputy Attorney General
Tel. (973) 648-2894

FILED

OCT 21 2013

**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

_____	:	Administrative Action
IN THE MATTER OF THE LICENSE	:	
APPLICATION OF	:	
	:	
MICHAEL T. HURLEY	:	CONSENT ORDER
	:	FOR LICENSURE WITH
TO PRACTICE MASSAGE AND	:	PROBATION
BODYWORK THERAPY IN THE	:	
STATE OF NEW JERSEY	:	
_____	:	

This matter was opened to the New Jersey State Board of
Massage and Bodywork Therapy ("Board") upon review of Michael T.
Hurley's application for licensure as a massage and bodywork
therapist. Upon a review of the application, and the results of

the Criminal History Background Check, it was ascertained by the Board that the applicant had been arrested twice in 2009. The first arrest, in January of 2009, resulted in a conviction on March 13, 2009 for burglary, with a sentence of three years probation, which included 62 days of jail time credit. In addition, on May 29, 2009, although charges of marijuana possession and possession of paraphernalia were dismissed, Mr. Hurley was re-sentenced to thirty days confinement to a rehabilitation facility, and to three years, eleven months probation. Subsequently, after a December 18, 2009 arrest, Mr. Hurley was found guilty of criminal trespass and sentenced to thirty days confinement in a rehabilitation facility and five years probation.

The applicant disclosed his arrest and conviction history on his application, and the applicant has provided a statement from his probation supervisor indicating that he is compliant with all conditions of his probation. His probation supervisor has indicated that he is a mentor to others, and he has provided a submission from his sponsor in recovery characterizing him as a "responsible, reliable, productive member of society."

The Board finds that the underlying conduct that led to the applicant's convictions relate adversely to the practice of massage and bodywork therapy within the intendment of N.J.S.A. 45:1-21(f). However, the Board further finds that in light of

the applicant's recovery efforts since his conviction, licensure as well as entry of the within Order are appropriate, and that this Order is sufficiently protective of the public health, safety and welfare. Accordingly;

IT IS ON THIS 21st DAY OF October, 2013

HEREBY ORDERED AND AGREED THAT:

1. Mr. Hurley's application for licensure shall be granted upon payment of all applicable fees and demonstration of satisfaction of all requirements for licensure, if he has not already done so. The applicant is to be placed on probation, which shall coincide with his criminal probation. The conditions of probation are set forth below.

2. Mr. Hurley shall report to the Board, within five (5) business days of occurrence, any arrest, indictment or conviction for any crime or disorderly persons offense.

3. Mr. Hurley shall obey all the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of massage and bodywork therapy in the State or jurisdiction in which he practices massage and bodywork therapy.

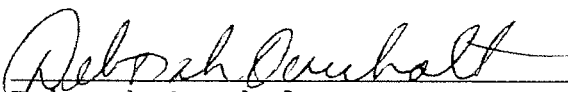
4. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that the applicant has violated

any term of this Order, Mr. Hurley's license may be automatically suspended by the Board. Mr. Hurley, upon notice, may request a hearing to contest the entry of such an order. At any such hearing, the sole issue shall be whether any of the information received regarding Mr. Hurley was materially false.

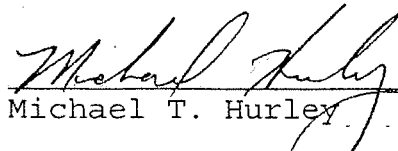
5. At the end of the term of probation, Mr. Hurley may petition the Board in writing for release from the terms of this Order, and shall provide documentation at that time of his having complied with the terms of his criminal probation. In the event that there have been no arrests or convictions during the period of probation, the Board may then grant such a petition by means of a written communication, without need for further Order of the Board.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:


Deborah Overholt
Chairperson

I have read and understand the
Within Consent Order and
agree to be bound by its terms.


Michael T. Hurley